



**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

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***TOM ARISS
PAT ARNOLD SOUTH
DAVID G. YOUNG***

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

MINUTES: Regular Session – October 11, 2011

The Board met in regular session pursuant to adjournment of the October 4, 2011, meeting.

David G. Young - present

Pat Arnold South - present

Tom Ariss - absent

Tina Davis, Clerk - present

Minutes of the October 4, 2011 meeting were read and approved.

- 11-1392 A resolution was adopted to authorize the posting of the “Temporary Social Service Worker II” position within the Department of Job and Family Services, Human Services Division, in accordance with Warren County Personnel Policy Manual, Section 2.02(a). Vote: Unanimous
- 11-1393 A resolution was adopted to Waive all Fees associated with the Construction of a new canopy and sign for Franklin Faith Tabernacle in Franklin Township. Vote: Unanimous
- 11-1394 A resolution was adopted to authorize Publication of a Notice for Early Public Review of a Proposal to Support Activities in a 100-year Floodplain and/or Wetland relative to the Fiscal Year 2011 Community Development Block Grant Entitlement Program. Vote: Unanimous
- 11-1395 A resolution was adopted to approve Emergency Repair to the Generators on Justice Drive Campus. Vote: Unanimous
- 11-1396 A resolution was adopted for a Resolution of Support for the City of Middletown to file an Application to the State of Ohio, Department of Development, to receive assistance under the Ohio Job Ready Sited Program. Vote: Unanimous

- 11-1397 A resolution was adopted to approve Notice of Intent to Procure Third Party Administration Services from United Health Care, Prescription Benefit Management Services from Express Scripts and Broker Service from Horan relative to the 2012 Warren County Health Insurance Plan. Vote: Unanimous
- 11-1398 A resolution was adopted to approve Service Agreement with Hobart Services for Jail Kitchen Equipment. Vote: Unanimous
- 11-1399 A resolution was adopted to approve Change Order #GT-04 with Kramer & Feldman Inc. General Trades Contractor relevant to the Warren County Common Pleas Court Building Energy Efficiency Improvement Project at 500 Justice Drive Common Pleas Court Building. Vote: Unanimous
- 11-1400 A resolution was adopted to approve Extension of Service Agreement with Hobart Services for 60 quart floor mixer at the Warren County Jail. Vote: Unanimous
- 11-1401 A resolution was adopted to approve and authorize the submittal of a Grant Application and Agreement to the Ohio Emergency Management Agency for Funding through the FY2011 Emergency Management Performance Grant Program and authorize the director of the Emergency Services Department to sign documents relative thereto. Vote: Unanimous
- 11-1402 A resolution was adopted to approve and authorize the President and/or Vice President of this Board to sign the FY 2012 Elderly and Disabled Transit Fare Assistance Grant Contract by and between the Ohio Department of Transportation and the Warren County Board of Commissioners. Vote: Unanimous
- 11-1403 A resolution was adopted to acknowledge receipt of September 2011 Financial Statement. Vote: Unanimous
- 11-1404 A resolution was adopted to affirm "Then and Now" requests pursuant to Ohio Revised Code 5705.41(D) (1). Vote: Unanimous
- 11-1405 A resolution was adopted to acknowledge payment of Bills. Vote: Unanimous
- 11-1406 A resolution was adopted to approve various Refunds. Vote: Unanimous
- 11-1407 A resolution was adopted to enter into Erosion Control Bond Agreement with McDonald's USA for improvements in 5301 Kings Island Drive situated in Deerfield Township. Vote: Unanimous
- 11-1408 A resolution was adopted to approve Subfund Adjustment in Juvenile Court Fund 243. Vote: Unanimous

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- 11-1409 A resolution was adopted to approve an Expense Adjustment from Sheriff's Office Fund #630 into Fund #101-2200. Vote: Unanimous
- 11-1410 A resolution was adopted to approve Operating Transfer from Commissioners Fund #101 into County Court Probation Fund #253. Vote: Unanimous
- 11-1411 A resolution was adopted to approve Operating Transfer within Water Revenue Fund 510 into Water Revenue Project Fund No. 583-3230 (North South Interconnect). Vote: Unanimous
- 11-1412 A resolution was adopted to approve an Operational Transfer from Commissioners Fund #101 into Human Services Fund #203. Vote: Unanimous
- 11-1413 A resolution was adopted to approve Operational Transfer from Commissioners Fund #101 into Human Services Fund #203. Vote: Unanimous
- 11-1414 A resolution was adopted to approve Supplemental Appropriation within the Tax Increment Financing P&G Fund 384 to Pay Fees for 2nd ½ Real Estate Settlement. Vote: Unanimous
- 11-1415 A resolution was adopted to approve Supplemental Appropriation into Senior Citizens Fund #201-1111. Vote: Unanimous
- 11-1416 A resolution was adopted to approve Supplemental Appropriation within Courts Building Energy Conservation Grant Fund #495. Vote: Unanimous
- 11-1417 A resolution was adopted to approve Supplemental Appropriation within the Bond Retirement Special Assessment - Fund 327 to Pay 2011 Interest Payments for the 2011 Debt issue. Vote: Unanimous
- 11-1418 A resolution was adopted to approve Appropriation Adjustment from Commissioners Fund #101-1110 into Commissioners Grants Fund #101-1112 and an Operational Transfer from Commissioners Grants Fund #101-1112 into Children Services Fund #273. Vote: Unanimous
- 11-1419 A resolution was adopted to approve Appropriation Adjustment from Commissioners General Fund #101-1110 into Sheriff's Fund #101-2200. Vote: Unanimous
- 11-1420 A resolution was adopted to approve Appropriation Adjustments within Community Based Corrections Fund #289. Vote: Unanimous
- 11-1421 A resolution was adopted to approve Appropriation Adjustment within Juvenile Probation Fund #101-2500. Vote: Unanimous
- 11-1422 A resolution was adopted to approve Appropriation Adjustment within Garage

Fund #101-1620. Vote: Unanimous

- 11-1423 A resolution was adopted to approve Appropriation Adjustment within Sheriff's Office Fund #101-2200 and Detention - Sheriff's Fund #101-2210. Vote: Unanimous
- 11-1424 A resolution was adopted to approve an Appropriation Adjustment within Prosecutor Fund 101-1150. Vote: Unanimous
- 11-1425 A resolution was adopted to approve Appropriation Adjustments within Common Pleas Court Fund #289-1224. Vote: Unanimous
- 11-1426 A resolution was adopted to approve Appropriation Adjustment within Community Corrections Fund #101-1224. Vote: Unanimous
- 11-1427 A resolution was adopted to approve Appropriation Adjustment within Building Services Fund #101-1600. Vote: Unanimous
- 11-1428 A resolution was adopted to approve Appropriation Adjustments within Data Processing Fund #101-1400, Veterans' Fund #101-5220 and Probate/Juvenile Fund #101-2600. Vote: Unanimous
- 11-1429 A resolution was adopted to authorize payment of Bills. Vote: Unanimous
- 11-1430 A resolution was adopted to approve and authorize President of the Board to sign Acknowledgement, Agreement and Waiver relating to conflicts of interest re: Hamilton Township Board of Trustees, et al v. Village of South Lebanon, et al (Case #11CV80578). Vote: Unanimous
- 11-1431 A resolution was adopted to approve Appropriation Adjustment within Grants Administration Fund #265. Vote: Unanimous
- 11-1432 A resolution was adopted to approve Appropriation Adjustment within Franklin Municipal Court Fund #101-1271. Vote: Unanimous

DISCUSSIONS

On motion, upon unanimous call of the roll, the Board accepted and approved the consent agenda.

Jerry Haddix, Grants Coordinator, was present along with Dave Walling, Assistant Sanitary Engineer, for a work session to discuss residential the fees associated with the connection of residential properties to the new sanitary sewer constructed with CDBG funds relative to the expansion of Hartz Mountain in Harlan Township.

Mr. Haddix explained that the Health Department is reviewed the private sewage systems of the residents along the new sewer line and will determine which systems are failing and must be connected to the new sewer. He then stated that the CDBG rules stated that there can be no assessments associated with the project and that anyone who falls into the "low to moderate" income bracket cannot be charged a capacity fee relative to the project.

There was much discussion relative to the options available and upon further discussion, the Board stated their desire for Mr. Haddix to obtain a salary survey of the residents and report the findings upon completion for further discussion.

On motion, bids were closed at 9:15 a.m. this 11th day of October and the following bids were received, opened and read aloud for Hart Road Waterline Extension for the Warren County Water and Sewer Department:

Loveland Excavating & Paving Fairfield, Ohio	\$ 191,145.20
CK Excavating Eaton, Ohio	\$ 199,120.00
Diggit Excavating Inc. Lebanon, Ohio	\$ 140,058.21
REI Construction Hamilton, Ohio	\$ 144,641.50
Tom's Construction Inc. St. Henry's, Ohio	\$ 177,049.00
Adleta Construction Cincinnati, Ohio	\$ 262,782.47

GM Pipeline West Chester, Ohio	\$ 162,390.90
W.G. Stang LLC Hamilton, Ohio	\$ 168,058.00
Site Works, LLC Lebanon, Ohio	\$ 172,172.00

Chris Brausch, Sanitary Engineer, will review bids for a recommendation at a later date.

Mike Yetter, Zoning Inspector, was present along with Stan Williams, Regional Planning Commission, and Bruce McGary, Assistant Prosecutor, to discuss the Warren County Rural Zoning Code Re-Write relative to the Sexually Orientated Business classification.

Mr. Yetter explained that there are two options on how the Board can handle this classification as follows:

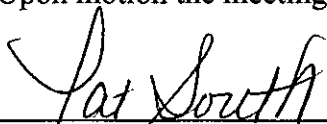
1. Allow the use within a specific zoning classification which would require the matter to come before the Board as a site plan review application. This option keeps the matters within the Board's review but there is limited ability for the Board to deny the use if it is specified as allowable.
2. Allow the use as a "conditional use" within a specific zoning classification. This would require the applicant to come before the Zoning Board of Appeals which could determine if the proposed use is appropriate for the specific location. This option would put the decision into the hands of the Zoning Board of Appeals and the Board would not have a vote in the matter.

Upon further discussion, Mr. McGary stated he will let the Board know after the next few meetings which way the Rural Zoning Commission determines to proceed in the Zoning Re-write.

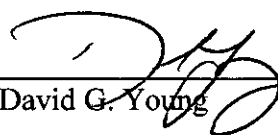
There was also discussion relative to the Board's concurrence with the creation of a Park Zoning classification. The Board stated that even though there are many stipulations in place that would prevent the majority of the public owned parkland to be developed, if the creation of this classification gives the residence an additional level of assurance, they have no problem with it.

On motion, upon unanimous call of the roll, the Board entered into executive session at 10:06 a.m. to discuss pending litigation with legal counsel pursuant to Ohio Revised Code Section 121.22 (G)(3) and exited at 12:20 p.m.

Upon motion the meeting was adjourned.




Pat Arnold South, President



David G. Young

Tom Ariss

I hereby certify that the foregoing is a true and correct copy of the minutes of the meeting of the Board of County Commissioners held on October 11, 2011, in compliance with Section 121.22 O.R.C.



Tina Davis, Clerk
Board of County Commissioners
Warren County, Ohio